

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

IN THE MATTER OF THE VERIFIED )  
PETITION OF METRO TELECONNECT )  
COMPANIES, INC. FOR A CERTIFICATE )  
OF TERRITORIAL AUTHORITY TO )  
PROVIDE FACILITIES-BASED LOCAL )  
EXCHANGE TELECOMMUNICATIONS )  
SERVICES THROUGHOUT THE STATE )  
OF INDIANA, AND FOR AN ORDER BY )  
THE INDIANA UTILITY REGULATORY )  
COMMISSION DECLINING TO EXERCISE )  
ITS JURISDICTION, IN WHOLE OR IN PART, )  
TO THE FULLEST EXTENT ALLOWED BY )  
THE LAW, PURSUANT TO IND. CODE 8-1-2.6 )

CAUSE NO. 42485

FILED

JAN 28 2004

INDIANA UTILITY  
REGULATORY COMMISSION

**BY THE COMMISSION:**

**Lorraine Hitz-Bradley, Administrative Law Judge**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 24, 2003, Metro Teleconnect Companies, Inc. ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission for authority to provide facilities-based local exchange services to the public throughout the State of Indiana, and for an order by the Commission declining to exercise its jurisdiction, in whole or in part, to the fullest extent allowed by law, pursuant to I.C. 8-1-2.6.

Pursuant to notice and as provided for in 170 I.A.C. 1-1.1-15, a Prehearing Conference in this Cause was held in Room E306 of the Indiana Government Center South, Indianapolis, Indiana at 10:00 a.m., September 16, 2003. On October 16, 2003, the Presiding Officer issued a docket entry, continuing this matter until January, 2004, due to outstanding issues concerning the business of Petitioner and its transactions with Annox, Inc. ("Annox"). On November 10, 2003, a prehearing conference was held in the investigation regarding Petitioner and Annox, at which a preliminary schedule was set. Subsequently, this matter was continued indefinitely, pending the outcome in Cause No. 42521. On January 20, 2004, Metro filed its *Reply in Support of its Motion to Adopt*

*Procedural Schedule and Set Evidentiary Hearing*, in which it requested that this matter be set for immediate hearing and that the CTA be granted without further delay.

The Presiding Officer, being duly advised in the premises, hereby finds as follows:

Metro's Motion is granted in part. Parties shall be bound by the following filing deadlines, to begin after the completion of evidentiary hearing in Cause No. 42521. Given the unusual procedural stance of this case, Petitioner will be allowed to supplement its case-in-chief within the procedural schedule, as it feels necessary.

1. **Petitioner's Prefiling Date.** The Petitioner should prefile with the Commission the prepared testimony and exhibits constituting its case-in-chief on or before April 2, 2004. Copies of same should be served upon all parties of record.

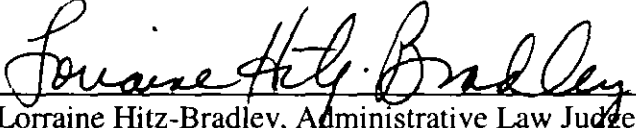
2. **Public's and Intervenors' Prefiling Date.** Public and all Intervenors should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before Monday, April 12, 2004. Copies of same should be served upon all parties of record.

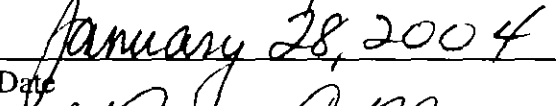
3. **Petitioner's Rebuttal Prefiling.** The Petitioner should prefile with the Commission its prepared rebuttal testimony on or before April 22, 2004. Copies of same should be served upon all parties of record.

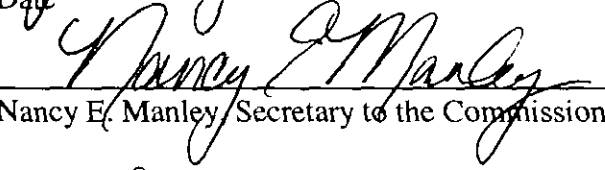
4. **Settlement.** In the event the parties are able to reach an agreement on some or all of the issues in this Cause, the agreement should be submitted to the Commission five (5) days prior to the date of the Hearing.

5. **Evidentiary Hearing on the Parties' Cases-In-Chief.** The cases-in-chief of the Petitioner, Public and any Intervenors should be presented in an evidentiary hearing to commence at 9:30 a.m., Wednesday, May 5, 2004 in Room E306 of the Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioner should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses.

**IT IS SO ORDERED.**

  
Lorraine Hitz-Bradley, Administrative Law Judge

  
Date

  
Nancy E. Manley, Secretary to the Commission